

CHANGE IN THE ISSUANCE OF SUMMONS IN ADVERSARY PROCEEDINGS

Beginning November 1, 2001, the Clerk's Office will be implementing a new procedure for the issuance of summons in adversary proceedings. As of this date, counsel will be able to download a new summons form, contact the court to obtain a pre-trial conference date and e-file the adversary proceeding along with the completed summons and certificate of service. The summons will be considered issued when the complaint is filed. By utilizing this procedure, counsel will be able to serve the summons the same day the complaint is filed.

This new procedure will expedite the issuance of summons and obviate the necessity for having to wait for the issued summons to be completed and returned to counsel in hard copy form.

Summons must be a separate docket entry from the complaint. They are not to be filed as an attachment to the complaint.

Pre-trial hearing dates will be obtained in the same manner hearing dates for motions are currently obtained. This date along with the date issued (the e-filing date) are the only dates counsel will need to add to the summons.

Should you have any questions regarding this new procedure, please contact Debbie Colmyer at 302-252-2901 (Deborah_Colmyer@deb.uscourts.gov) or George Wylesol at 302-252-2889 (George_V Wylesol@deb.uscourts.gov).

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